



## City of Kelowna Regular Council Meeting Minutes

Date: Monday, January 21, 2019  
 Time: 1:30 pm  
 Location: Council Chamber  
 City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine Dehart, Ryan Donn, Gail Given, Charlie Hodge, Brad Sieben, Mohini Singh, Luke Stack and Loyal Wooldridge

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith\*; Urban Planning Manager, Terry Barton\*; Community Planning Supervisor, Laura Bentley\*; Planner, Lydia Korolchuk; Integrated Transportation Department Manager, Rafael Villarreal Pacheco\*; Transportation Engineer, Chad Williams\*; Divisional Director, Infrastructure, Alan Newcombe\*; Transit and Programs Manager, Jerry Dombowsky\*; Transit and Programs, Matt Worona\*; Legislative Coordinator (Confidential), Clint McKenzie

(\* Denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 1:31 p.m.

Mayor Basran advised that the meeting is open to the public and all representations to Council form part of the public record. A live audio and video feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

### 2. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

(R0050/19/01/21) THAT the Minutes of the Regular Meetings of January 14, 2019 be confirmed as circulated.

Carried

### 3. Development Application Reports & Related Bylaws

3.1 Barnaby Rd 751, Z18-0073 - Kristine Sales and Dustin Sales

Staff displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

Staff confirmed no variances are being requested.

Moved By Councillor Stack/Seconded By Councillor Sieben

**(R0051/19/01/21)** THAT Rezoning Application No. Z18-0073 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B DL 357 SDYD Plan 24757 located at 751 Barnaby Rd, Kelowna, BC from the RR2 – Rural Residential 2 zone to the RU6 – Two Dwelling Housing zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

**Carried**

**3.2 Barnaby Rd 751, BL11728 (Z18-0073) - Kristine Sales and Dustin Sales**

Moved By Councillor Wooldridge/Seconded By Councillor Given

**(R0052/19/01/21)** THAT Bylaw No. 11728 be read a first time.

**Carried**

**3.3 Cadder Ave 418-422, Z18-0083 - Geoffrey & Michelle Couper and Friedrich & Evelyn Wille**

Staff displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Singh

**(R0053/19/01/21)** THAT Rezoning Application No. Z18-0083 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 7 Block 8 DL 14 ODYD Plan 348 located at 418-422 Cadder Ave, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated July 30, 2018;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Heritage Alteration Permit for the subject property.

**Carried**

**3.4 Cadder Ave 418-422, BL11736 (Z18-0083) - Geoffrey & Michelle Couper and Friedrich & Evelyn Wille**

Moved By Councillor Given/Seconded By Councillor Wooldridge

**(R0054/19/01/21)** THAT Bylaw No. 11736 be read a first time.

**Carried**

### 3.5 Hein Rd 365-367, Z18-0066 - 1918951 Alberta Ltd

Staff displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Singh/Seconded By Councillor Stack

(R0055/19/01/21) THAT Rezoning Application No. Z18-0066 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Strata Lot 1 & 2 Section 27 TWP 26 ODYD Strata Plan KAS2718 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V, located at Hein Rd, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated June 28, 2018;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit for the subject property.

Carried

### 3.6 Hein Rd 365-367, BL11737 (Z18-0066) - 1918951 Alberta Ltd

Moved By Councillor Given/Seconded By Councillor Wooldridge

(R0056/19/01/21) THAT Bylaw No. 11737 be read a first time.

Carried

### 3.7 Kneller Rd 210, Z18-0099 - Gurdev and Kamalpreet Gill

Staff presented a PowerPoint presentation summarizing the application.

Moved By Councillor Hodge/Seconded By Councillor Singh

(R0057/19/01/21) THAT Rezoning Application No. Z18-0099 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B Section 27 Township 26 ODYD Plan 17467, located at 215 Kneller Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RM3 – Low Density Multiple Housing zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated September 20, 2018;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit for the subject property.

Carried

### 3.8 Kneller Rd 210, BL11738 (Z18-0099) - Gurdev and Kamalpreet Gill

Moved By Councillor Donn/Seconded By Councillor Stack

(R0058/19/01/21) THAT Bylaw No. 11738 be read a first time.

Carried

**3.9 Creekside Rd 1200, Z18-0095 - 0806568 BC Ltd**

Staff presented a PowerPoint presentation summarizing the application.

Moved By Councillor Sieben/Seconded By Councillor Donn

(R0059/19/01/21) THAT Rezoning Application No. Z18-0120 to amend the City of Kelowna Zoning Bylaw No.8000 by changing the zoning classification of Lot 18, Section 22, Township 26, ODYD, Plan 20015, located at 1200 Creekside Rd, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large lot Housing with Carriage House zone be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

Carried

**3.10 Creekside Rd 1200, BL11742 (Z18-0095) - 0806568 BC Ltd**

Moved By Councillor Donn/Seconded By Councillor DeHart

(R0060/19/01/21) THAT Bylaw No. 11742 be read a first time.

Carried

**3.11 Shayler Rd (W of) PR18-0002 Kinnikinnik Developments Inc.docx**

Staff provided a PowerPoint presentation summarizing the application and responded to questions from Council.

Confirmed there is a statutory right of way along the foreshore for public access.

Moved By Councillor Stack/Seconded By Councillor Singh

(R0061/19/01/21) THAT Council hear from the applicant.

Carried

Applicant Russ Watson, McKinley Beach Marina Project Manager:

- Confirmed there are no further plans to expand as the existing plan maximizes the water lease space held with the Province.

Moved By Councillor Sieben/Seconded By Councillor DeHart

(R0062/19/01/21) THAT Provincial Referral No. PR18-0002 for Lot 7, Plan EPP8753, Township 23, Section 28, 29, ODYD located at (W of) Shayler Road, Kelowna, BC for a marina expansion be supported by Council;

AND THAT Council directs staff to forward the subject application to the Province for consideration.

Carried

**3.12 Lakeshore Rd 4609 - BL11468 (OCP16-0023) - Lev8 Developments Ltd**

Moved By Councillor Donn/Seconded By Councillor Sieben

(R0063/19/01/21) THAT Bylaw No. 11468 be adopted.

Carried

**3.13 Lakeshore Rd 4609 - BL11469 (Z16-0068) - Lev8 Developments Ltd**

Moved By Councillor DeHart/Seconded By Councillor Donn

(R0064/19/01/21) THAT Bylaw No. 11469 be adopted.

Carried

**3.14 Lakeshore Rd 4609, DP16-0249 - Lev8 Developments Ltd**

Staff displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

Staff confirmed there are no variances associated with the application.

Moved By Councillor Sieben/Seconded By Councillor DeHart

(R0065/19/01/21) THAT final adoption of Official Community Plan Bylaw No. 11468 be considered by Council;

AND THAT final adoption of Rezoning Bylaw No. 11469 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP16-0249 for Lot 1, District Lot 167, ODYD, Plan EPP82334 located at 4609 Lakeshore Rd, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

**3.15 McKenzie Rd, 1251, A18-0004**

Staff displayed a PowerPoint presentation providing an overview of the application and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Singh

(R0066/19/01/21) THAT Agricultural Land Reserve Application No. A18-0004 for Lot B, Sections 24 and 25 Township 26, ODYD, Plan KAP74860 located at 1251 McKenzie Road,

Kelowna, BC to subdivide land within the Agricultural Land Reserve, pursuant to Section 21(2) of the *Agricultural Land Commission Act*, be supported by Council, subject to the following:

- a. The entirety of the lot be included into the ALR in accordance with Section 17(3) of the *Agricultural Land Commission Act*; and
- b. An 8.3 ha environmentally sensitive portion of the subject parcel be transferred to the City of Kelowna as a condition of subdivision approval.

AND THAT Council directs staff to forward the subject application to the Agricultural Land Commission for consideration.

Carried

### **3.16 Hilltop Cr, 1850, DP18-0249**

Staff displayed a PowerPoint presentation providing an overview of the application and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Given

(Roo67/19/01/21) THAT Council authorizes the issuance of Development Permit No. DP18-0249 for Lot 6, Section 28 and 29, Township 23, ODYD, Plan EPP76020 located at 1850 Hilltop Crescent, Kelowna, BC subject to the following:

1. The dimensions and siting of the buildings to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the buildings to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND THAT Council's consideration of this Development Permit be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated January 28, 2019;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

Opposed - Councillors Hodge, Singh and Stack

## **4. Non-Development Reports & Related Bylaws**

### **4.1 Budget Amendment, ICBC Road Improvement Program**

Staff spoke to the requested budget amendment in order to reflect ICBC grant contributions.

Moved By Councillor Given/Seconded By Councillor Stack

(Roo68/19/01/21) THAT Council receives, for information, the report from the Transportation Engineering Specialist dated January 21, 2019 with respect to the ICBC Road Improvement Program;

AND THAT the 2018 Financial Plan be amended to include \$162,300 ICBC Road Improvement Program Contributions related to the receipt of grant funding from the ICBC Road Safety Improvement Program as outlined in the report from the Transportation Engineering Specialist dated January 21, 2019.

**Carried**

#### **4.2 Alta Vista Road Water Utility Project to be Cancelled and Budget Transferred**

Staff spoke to the reasons for the proposed cancellation of the water utility project and budget transfer.

Moved By Councillor Sieben/Seconded By Councillor Donn

**(R0069/19/01/21)** THAT Council receives for information, the report from the Infrastructure Division Director dated January 21, 2019 regarding the cancellation of the Alta Vista Road Water Main project and transfer the remaining budget to the Vintage Terrace PRV Water project;

AND THAT the 2018 Financial Plan be amended to include the project cancellation and transfer of budget as outlined in the Alta Vista Road Water Main project report from the Infrastructure Division Director, dated January 21, 2019.

**Carried**

#### **4.3 Draft response to provincial inquiry into transportation network services**

Staff provided an overview of the draft response letter to the provincial inquiry into transportation network services and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Wooldridge

**(R0070/19/01/21)** THAT Council receive, for information, the report from the Transit and Programs Manager, dated January 21, 2019 regarding response to the call for written submissions from the Select Standing Committee on Crown Corporations inquiry into transportation network services (ride hailing services) in BC;

AND THAT Council authorize the proposed response to the Select Standing Committee on Crown Corporations inquiry.

**Carried**

### **5. Mayor and Councillor Items**

Councillor Dehart:

- Tomorrow attending first Board meeting as Council liaison with Kelowna Chamber of Commerce.

Councillor Stack

-Commented that all applications today involved multi-family housing. Last week's applications were similar. The market seems to be favouring multi-family developments.

Councillor Wooldridge:

- Attended Kasugai Sister City Board Meeting as Council liaison last week. They are looking for additional board members from the community.

### **6. Termination**

This meeting was declared terminated at 3:26 p.m.

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Mayor Basran

/sf/cm



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City Clerk